

Remarks And Arguments

Applicants note with appreciation that patentability of the subject matter of claims 6, 11, 17 and 20 has been recognized in the outstanding Office Action. Entry of the amendments presented above is requested to incorporate the subject matter of those claims into their independent claims and thereby place the application in condition for allowance.

In particular, independent claim 1 has been amended to incorporate the subject matter of claim 6, independent claim 8 has been amended to incorporate subject matter of claims 11 and 17, and independent claim 18 has been amended to incorporate the subject matter of claim 20. Claims 4-6, 9-11, 15-17, 19 and 20 have been canceled.

Claim Rejections - 35 USC 103

Claims 1, 3-5, 8-10, 13-16, 18 and 19 have been finally rejected as unpatentable over Kim (US 5,856,280) in view of WO 02/053687 and a disclosure in Meskers (US 6,348,440) that tolyltriazone is a synonym for tolutriazone. Claims 6, 11, 17 and 20 have been objected to for being dependent from rejected base claims but, according to the Final Rejection, would be allowable if rewritten in independent form.

Reconsideration is requested in view of the amendments presented herein and the following remarks.

With the amendments presented above incorporating into independent claims 1, 8 and 18 subject matter of claims 6, 11 and 17, and 20, respectively, and canceling claims 4-6, 9-11, 15-17, 19 and 20, the claims remaining in the application are commensurate in scope with the showing of unexpected results for the compositions of Examples 2, 3, 8, 9 and 10 reported in Table 3 of the application and discussed at pages 7-8 of Applicants' response to the prior office action.

In view of the foregoing, the analysis in the Final Rejection recognizing the patentable subject matter of claims 6, 11, 17 and 20, and the incorporation of that

subject matter into claims 1, 8 and 18, it is submitted that independent claim 1 and claim 3 which is dependent therefrom, independent claim 8 and its dependent claims 13 and 14, and independent claim 18 are allowable over the prior art of record.

Conclusion

In view of the amendments made herein and the foregoing reasons for reconsideration and withdrawal of the Final Rejection according to the outstanding action, it is submitted that the subject application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'S. L. Hensley', is written over a horizontal line.

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